

ORAL ARGUMENT NOT YET SCHEDULED

No. 15-5170

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SAFARI CLUB INTERNATIONAL, *et al.*,
Plaintiffs-Appellants

v.

SALLY JEWELL, in her official capacity as
United States Secretary of the Interior, *et al.*,
Defendants-Appellees

On Appeal from the United States District Court for the District of Columbia
(No. 14-00670)

**UNOPPOSED MOTION FOR ONE-WEEK EXTENSION
TO THE BRIEFING SCHEDULE**

Pursuant to Fed. R. App. P. 26(b), Plaintiffs-Appellants Safari Club International (“SCI”) and the National Rifle Association of America (“NRA”) (collectively “SCI/NRA”) respectfully move this Court to extend the deadline for filing their reply brief in this appeal by one week from March 25, 2016, to April 1, 2016, with a corresponding extension of the remaining deadlines. Counsel for SCI/NRA has consulted with counsel for the Federal Appellees regarding the relief requested in this motion. Federal Appellees do not oppose this motion.

SCI/NRA request the Court grant this motion for the following reasons:

1. Counsel for SCI/NRA need additional time to prepare their reply brief given other scheduling commitments, travel obligations, and the submission of an unexpected brief from proposed amici in this litigation (who did not participate in the district court).
2. Federal Appellees filed their Answering Brief on March 4, 2016, and SCI/NRA's Reply Brief is currently due on March 25.
3. SCI has three in-house counsel, all of whom are participating in the preparation of this appeal. One counsel for SCI was on long planned personal leave March 7-11. Another one of SCI's attorneys must attend a meeting in Madrid from March 18-20 and will be not return to the U.S. until March 21, 2016. The third counsel, who acts as one of SCI's delegation to the Convention on International Trade in Endangered Species (CITES), had to take on unexpected CITES related work from March 10-15, 2016.
4. Counsel for NRA who is working on this case had significant involvement in and the final approval on the NRA's amicus brief in support of a petition for certiorari that was finalized for printing on March 15. As part of that process, he worked with outside counsel on two full rounds of final editing in the last week. He also worked on another amicus brief in the same case for other parties and completed that work on March 15.

5. All three counsel for SCI will be presenting to the Legal Committee and other committees of the Association of Fish and Wildlife Agencies at the North American Wildlife & Natural Resources Conference in Pittsburgh, Pennsylvania during all or part of March 16-18, 2016.
6. On March 11, Amici Humane Society of the United States, *et al.*, submitted to the Court a Brief of *Amici Curiae* in Support of Defendants-Appellees. The brief is 21 pages long. SCI/NRA first learned that Amici intended to file such a brief on March 5, and did not know the contents of that brief until March 11. SCI/NRA will have to take additional time to respond, as appropriate, to the arguments made in that brief. Amici did not participate in this case in the district court.
7. Counsel for SCI and for NRA must coordinate regarding review and revision of drafts of their brief.
8. SCI/NRA have previously sought an extension of the briefing deadlines in this appeal on two occasions. First, SCI/NRA filed an unopposed motion to extend the deadlines to accommodate mediation between the parties. The Court granted that motion on November 5, 2015. Second, after the termination of the mediation, SCI/NRA requested a 14-day extension of their opening brief, and a 7-day extension of their reply brief (and a brief 3-day extension of the Federal Appellees answering brief). While the

extension request for the reply brief anticipated some of the reasons stated in this motion, it did not include the work-related trip to Spain by one of SCI's counsel, the additional CITES related work assumed by another of SCI's counsel, and the work on amicus briefs in the U.S. Supreme Court by NRA's counsel.

9. The Court has not yet scheduled oral argument in this case.

10. Granting the requested one-week extension will allow sufficient time for SCI/NRA to prepare their reply brief and will not prejudice any party or substantially delay this Court's review of these consolidated appeals.

Granting this motion would result in the following modifications to the remainder of the briefing schedule in this appeal:

Reply Brief for Appellants SCI/NRA: April 1, 2016

Deferred Appendix: April 8, 2016

Final Briefs: April 22, 2016

For the foregoing reasons, SCI/NRA respectfully request that this Court extend the deadline for their reply brief to April 1, 2016 and adjust all other deadlines as set forth above.

Dated this 15th day of March, 2016.

Respectfully submitted,

/s/ Douglas S. Burdin

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of March, 2016, a true and correct copy of the Unopposed Motion for One-Week Extension to the Briefing Schedule by Plaintiffs-Appellants was electronically filed through the CM/ECF system, which caused all parties to be served by electronic means, as more fully reflected in the Notice of Electronic Filing.

/s/ Douglas S. Burdin
Douglas S. Burdin

Counsel for Plaintiff-Appellant
Safari Club International